

COLCHESTER PLANNING COMMISSION

MINUTES OF THE MEETING

DECEMBER 16, 2008

PRESENT: Tom Berry, Rich Paquette, Tom Mulcahy, Pam Loranger and Peter Larrabee

ALSO PRESENT: Sarah Hadd, Town Planner

1. Call to Order

T. Berry called the meeting to order at 7:10 p.m.

2. Seawall Discussion

The Commission reviewed possible changes to the Zoning Regulations for the construction of seawalls.

Areas of discussion and comments included, but not limited to, the following:

- need to reference “The Shoreline Stabilization Handbook” in the regulations;
- need for property owner to consult with neighbors;
- possibly implement a 15 foot seawall setback if not consulting with neighbors;
- possibly hold technical review committee meetings for seawalls and invite neighbors to attend;
- need to develop a separate Site Plan application for seawalls with a checklist for requirements;
- possible requirement of a wall being designed by a professional;
- need to demonstrate that erosion is occurring and that the structure is solving an erosion problem;
- the purpose is not to improve access or expand the property;
- at the discretion of a DRB they can approve a Site Plan application that presents a bio-engineered solution done by a skilled professional without the requirement of a professional certification.

In conclusion of the discussion, the group agreed to invite the Development Review Board to a Planning Commission meeting to review and discuss the proposed changes to the seawall regulations.

3. Transfer of Development Rights Discussion

S. Hadd provided the Commission with a document that was put together several years ago that provides an explanation of Transfer of Development Rights. The document explains what was planned for the Shipman Hill District and how Transfer of Development Rights work. What was planned several years ago was a two-pronged approach to rezoning the area.

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The first was to rezone the area to Conservation District (now called the Agricultural Mixed Use District). That District allowed for Fixed Area Based Density, a concept that would rezone the Agriculturally zoned properties to a much higher density but then only allow 1/6 of the potential development on-site. This was done with the intention of allowing small clustered development pockets and trying to off-set the impact of higher taxes that often comes with higher density zoning. The second concept was then to put in place Transfer of Development Rights that would enable the other 5/6 of the development or all to be sold for off-site development. S. Hadd also provided the Commission with a copy of a summary of one of the best attended public forums on this issue from June 2003.

S. Hadd recalled that in the past months the Planning Commission has discussed the possibility of making the Transfer of Development Rights open to all Agricultural zoned land in Colchester. Approximately 4,667 acres in Colchester are currently zoned Ag. These acres are contained within 134 parcels. Of these Ag parcels, 81 parcels contain 100 units. With the current minimum of 25 acres per unit there can only be 186 units in the Agricultural District. Subtracting the existing 100 units, there is only the current capability of 86 additional units in the Agricultural District. If Transfer of Development Rights was implemented for Ag zoned parcels, this would mean a maximum of 86 development rights could be created.

S. Hadd and the Commission participated in an open discussion about how TDR's are working in other communities, how TDR's will impact the value of the property from an assessor's point of view, what benefits and who would benefit by the implementation of TDR's in Colchester, identifying the goals of TDR's and possibly the implementation of an overlay district and how that would work.

The Commission discussed the value of property and raised several questions with regard to how the assessments would change. S. Hadd suggested that the new Town Assessor, Randy Mulligan, be invited to participate in an upcoming meeting of the Planning Commission to answer specific questions. The Board agreed that would be the best way to get all the questions answered.

4. Minutes of December 2nd

A **motion** was made by P. Larrabee and **seconded** by P. Loranger to **approve** the minutes of December 2nd. The **motion passed** with a vote of 5 – 0.

5. Packet Information

S. Hadd provided the Commission with a list of future agendas for their review.

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ADJOURNMENT

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 9:30 p.m.

Minutes taken and respectfully submitted by Lisa Riddle.

Approved this 6th day of January 2009

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_____	Planning Commission